

9 NOV 1978

SALT OUTLINE

- I. It appears a SALT agreement will be submitted as a Treaty, although the initial SALT treaty was submitted as an Executive Agreement requiring Congressional ratification, and this option has probably not been foreclosed.
 - A. Treaty requires 2/3 approval of Senate
 - B. An Executive agreement would be submitted requiring majority vote of both houses, although 60 votes would be required to overcome a Senate filibuster.
- II. Senate Action
 - A. Foreign Relations has jurisdiction and will vote and report
 - B. Armed Services may also hold exploratory hearings
 - C. Hearings likely witnesses: Vance, Turner, Brown, ACDA Head, Service Chiefs or Staff, C/JCS, public witnesses
 - D. SSCI
 1. Issue staff report mid-December re SALT verification
 2. Hearings - January - February with DCI and others re SALT verification
 3. Issue report reflecting Committee judgments in three versions
 - a. CODEWORD - for review of Senators only in SSCI offices
 - b. TOP SECRET - for use in closed Senate session during debate
 - c. Unclassified - for public release
 4. The Committee which remains a bit uncertain about the Senate's commitment to a permanent intelligence oversight committee, views SALT verification as an opportunity to demonstrate its value to the Senate.

E. Floor Action

1. Will include closed session on verification, possibly other issues
2. Vote

III. Intelligence Community Involvement

A. Substantive Information Flow

1. We can anticipate a large number of requests for briefings on Soviet military capabilities and intentions. Our key problems here are insuring that our briefings are packaged well, and that we have the resources available to handle requests, in order to take full advantage of this opportunity to demonstrate our expertise and willingness to assist Congress in policymaking decisions.
2. Can also anticipate requests for access to NIEs 11-3/8 (Soviet strategic forces); 11-6 (Soviet peripheral strike forces, e.g., BACKFIRE, SS-20); and 11-4 (Soviet intentions); and other relevant substantive intelligence reports. Under existing guidelines, these would be made available to SSCI and HPSCI, while other Congressional requesters will be offered a briefing. Insistence on access to the estimate will bring about a request for the Committee Chairman to contact the DCI.

B. Verification Information

1. We can expect requests for personal briefings on our verification capabilities, and requests for visits to our relevant facilities.
 - a. Verification capabilities do not appear to have been a major concern during the debate on SALT I interim offensive agreement and ABM treaty. How big an issue verification will be is unclear--much depends on final treaty or protocol provisions, e.g., re telemetry encryption, and on the conclusions of the Executive Branch and SSCI reports on these. If any of these emerge pessimistic on our ability to monitor Soviet actions restricted by the agreement, verification will be one of the major issues.

- b. Prior to debate on the Panama Canal Treaty, up to one-half of the Senate visited Panama on fact-finding trips. This enabled Senators to tell constituents they personally had inspected the Canal and met with Panamanian leaders and were assured U.S. interests would be protected. Since Members cannot visit Soviet military facilities, many may want to assure constituents that they have personally inspected U.S. intelligence capabilities, and are convinced the agreement can be monitored. Senator John Glenn is the first to ask--he would like to spend 2 days in early December touring our photo and SIGINT offices.
2. These anticipated requests for briefings on our capabilities and visits to intelligence facilities pose opportunities as well as problems, in contrast to requests for substantive briefings, which appear basically trouble-free.

Problems:

- a. We would be setting a precedent by opening our doors to non-oversight Committee personnel. For example, when Members travel abroad, CIA Station personnel can brief them as a part of the Embassy team, but briefings on station make-up and activities are provided only oversight Committee Members. Both technical and HUMINT collection are intelligence sources and methods, and on this level it would be inconsistent to treat them differently.
- b. Security--an influx of Senators generally unfamiliar with extremely sensitive information and without SSCI discipline poses a substantial security risk. Whereas the SSCI can and will show such sensitive data to Senators only under the protective provisions of S. Res. 400, we have no such protection.
- c. Charges of playing politics--a too-aggressive stance in "selling" our capabilities could be interpreted as overt Intelligence

Community support for the treaties, and assistance to its backers, charges similiar to those resulting from President Carter's use of CIA estimates to support his energy program.

Benefits:

- a. The Intelligence Community would gain the attention and likely the support from Senators to a spectacular and non-controversial area of our business.
- b. Members would probably emerge with more confidence in our ability to monitor a SALT agreement.

3. Options:

- a. Oppose deviation from traditional position restricting sources and methods information to oversight committee Members, and refer all inquiries to SSCI
- b. Make known to Senators requesting information on and visits to SALT-related facilities that SSCI has thoroughly studied this area and can fully inform them. However, agree to show these facilities if this is the Senator's preference
- c. Make known to individual Senators our willingness to show and explain the SALT-monitoring process to them.

Recommendation:

I recommend we adopt course b. I believe this path will demonstrate our willingness to be helpful on this important matter, while not undermining the SSCI's sought-after role and creating problems for us with the Committee. We can also explain that we are going to extraordinary lengths in exposing individual Members to our SALT verification programs, because of the importance of the SALT issue, thereby doing minimizing damage to our sources and methods profile.

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FROM: Legislative Counsel
7D45 Headquarters

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TO: (Officer designation, room number, and building)

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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Attached is a paper projecting Intelligence Community involvement in Congressional consideration of a SALT II treaty, potential problems and benefits from this involvement as well as options for handling requests to the Community in relationship to a SALT agreement. You may want to take some of these questions up with Dr. Brzezinski or the President. After we have feedback from you, we can prepare a more detailed memorandum for transmission to the NSC or White House, if you prefer to handle consultations in this manner.

Our immediate problem is how to respond to Senator Glenn's request to spend two or three days viewing Intelligence Community facilities in Washington involved in monitoring the SALT II treaty. Glenn has asked to do this in early to mid-December. Under our recommended approach we would advise Glenn that the SSCI is intensively studying our capabilities and may be able to provide all the information he needs. If he persists, however (as we expect Glenn who is technically oriented would), we would make the arrangements.

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